

ORDINANCE NO. 96-40

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 PALM BEACH COUNTY COMPREHENSIVE PLAN ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED, AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR 96-78 RES 1 (CORAL LAKES), MODIFYING PAGE 78 OF THE FLUA BY CHANGING A PARCEL OF LAND APPROXIMATELY 17.85 ACRES GENERALLY LOCATED ON THE WEST SIDE OF CONGRESS AVENUE APPROXIMATELY 350 FEET NORTH OF 6TH AVENUE SOUTH FROM HIGH RESIDENTIAL 8 (HR-8) (10 ACRES) AND COMMERCIAL/HIGH RESIDENTIAL 8 (C/8) (7.85 ACRES) TO HIGH RESIDENTIAL 12 (HR-12); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES OF PALM BEACH COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a public hearing on April 19, April 26, and May 10, 1996, to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on May 20, 1996, to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II Florida Statutes; and

WHEREAS, Palm Beach County received on August 9, 1996

1 Department of Community Affairs "Objections, Recommendations, and
2 Comments Report," dated August 7, 1996, which was the Department's
3 written review of the proposed Comprehensive Plan amendments; and

4 **WHEREAS**, on September 4, 1996, the written comments submitted
5 by the Department of Community Affairs, and the Planning Division's
6 response to the written comments, were distributed to the Palm
7 Beach County Local Planning Agency for review, and to make
8 recommendations regarding adoption of the Comprehensive Plan
9 amendments; and

10 **WHEREAS**, on September 26, 1996, the Palm Beach County Board of
11 County Commissioners held a public hearing to review the written
12 comments submitted by the Department of Community Affairs and to
13 consider adoption of the amendments; and

14 **WHEREAS**, the Palm Beach County Board of County Commissioners
15 has determined that the amendments as modified satisfy the concerns
16 addressed in the Department of Community Affairs' "Objections,
17 Recommendations and Comments Report" and comply with all
18 requirements of the Local Government Comprehensive Planning and
19 Land Development Regulations Act.

20 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
21 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

22 **Part I. Amendment to the Future Land Use Atlas of the Land**
23 **Use Element of the 1989 Comprehensive Plan**

24 An Amendment to the Land Use Element's Future Land Use Atlas
25 are hereby adopted and is attached to this Ordinance in Exhibit 1.

26 A. Future Land Use Atlas page 78 is amended as follows:

27 Application No.: 96-78 RES 1 (Coral Lakes)

28 Amendment: From High Residential 8 (HR-8) (10
29 acres) and Commercial/High
30 Residential 8 (C/8) (7.85 acres) to
31 High Residential 12 (HR-12);

32 General Location: West side of Congress Avenue
33 approximately 350 feet north of 6th
34 Avenue South

35 Size: 17.85 acres.

1 Part II. Repeal of Laws in Conflict

2 All local laws and ordinances applying to the unincorporated
3 area of Palm Beach County in conflict with any provision of this
4 ordinance are hereby repealed to the extent of such conflict.

5 Part III. Severability

6 If any section, paragraph, sentence, clause, phrase, or word
7 of this Ordinance is for any reason held by the Court to be
8 unconstitutional, inoperative or void, such holding shall not
9 affect the remainder of this Ordinance.

10 Part IV. Inclusion in the Code of Laws and Ordinances

11 The provision of this Ordinance shall become and be made a
12 part of the code of laws and ordinances of Palm Beach County,
13 Florida. The Sections of the Ordinance may be renumbered or
14 relettered to accomplish such, and the word "ordinance" may be
15 changed to "section," "article," or any other appropriate word.

16 Part V. Effective Date

17 The effective date of this plan amendment shall be the date a
18 final order is issued by the Department of Community Affairs or
19 Administration Commission finding the amendment in compliance in
20 accordance with Section 163.3184, Florida Statutes, whichever
21 occurs earlier. No development orders, development permits, or
22 land uses dependent on this amendment may be issued or commence
23 before it has become effective. If a final order of noncompliance
24 is issued by the Administration Commission, this amendment may
25 nevertheless be made effective by adoption of a resolution
26 affirming its effective status, a copy of which resolutions shall
27 be sent to the Department of Community Affairs, Bureau of Local
28 Planning, 2740 Centerview Drive, Tallahassee, Florida 32399-2100.

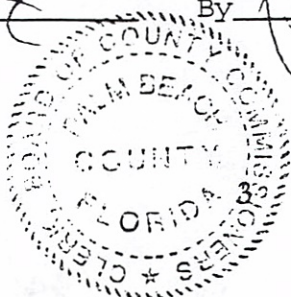
29 **APPROVED AND ADOPTED** by the Board of County Commissioners of
30 Palm Beach County, on the 26 day of September, 1996.

31 ATTEST:
32 DOROTHY H. WILKEN, Clerk

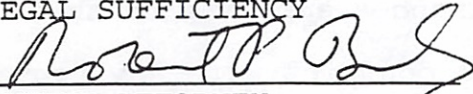
 PALM BEACH COUNTY, FLORIDA,
 BY ITS BOARD OF COUNTY COMMISSIONERS

33 By: Joan Hume
34 Deputy Clerk

 By: [Signature]
 Chair



1 APPROVED AS TO FORM AND
2 LEGAL SUFFICIENCY

3 
4 COUNTY ATTORNEY

5 Filed with the Department of State on the 3rd day
6 of October, 1996.

7 I:\COMMON\PLANNING\CURRENT\AMEND\96-1\BCCADOPT\CORALKS.ORD

EXHIBIT 1

Future Land Use Atlas page 78 is amended as follows:

Application No.: 96-78 RES 1

Amendment: From High Residential 8 (HR-8) (10 acres) and Commercial/High Residential 8 (C/8) (7.85 acres) to High Residential 12 (HR-12);

General Location: West side of Congress Avenue approximately 350 feet north of 6th Avenue South

Total Size: 17.85 acres.

Legal Description: All of Lot C and the North 19 feet of Lot D, Tract 64, Palm Beach Farms Company Plat No. 7, Section 30, Township 44 South, Range 43 East, according to the Plat thereof, as recorded in Plat Book 5, Page 72, Public Records of Palm Beach County, Florida;

TOGETHER with the following:

Lot E, Block 33, Lot E, Block 34, Lots A, B, and C, Block 63, Lots A and B, Block 64, Lots A, B, C, D, and E, Block 61, Lots A, B, C, D, and E, Block 62, Palm Beach Farms Company Plat No. 7, Section 30, Township 44 South, Range 43 East, according to the Plat thereof, as recorded in Plat Book 5, Page 72, Public Records of Palm Beach County, Florida;

LESS the following;

A certain parcel of land in Section 30, Township 44 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

The East 10.00 feet of Lot E, Block 33, the East 10.00 feet of Lots A, B, C, and the East 10.00 feet of the North 19 feet of Lot D, Block 64, of the Palm Beach Farms Company Plat No. 7, according to the Plat thereof, as recorded in Plat Book 5, Page 72, Public Records of Palm Beach County, Florida.

Property Numbers: 00-43-44-30-01-033-0050
00-43-44-30-01-034-0050
00-43-44-30-01-064-0031
00-43-44-30-01-064-0032
00-43-44-30-01-063-0040
00-43-44-30-01-061-0010
00-43-44-30-01-062-0010

ATTACHMENT A



Location/Land Use Map

96-78 RES 1
Coral Lakes

Size - 17.85 acres
Existing Use - Vacant

Existing FLU - HR-8 & C/8
Existing Zoning - PUD
Proposed FLU - HR-12

Future Land Use

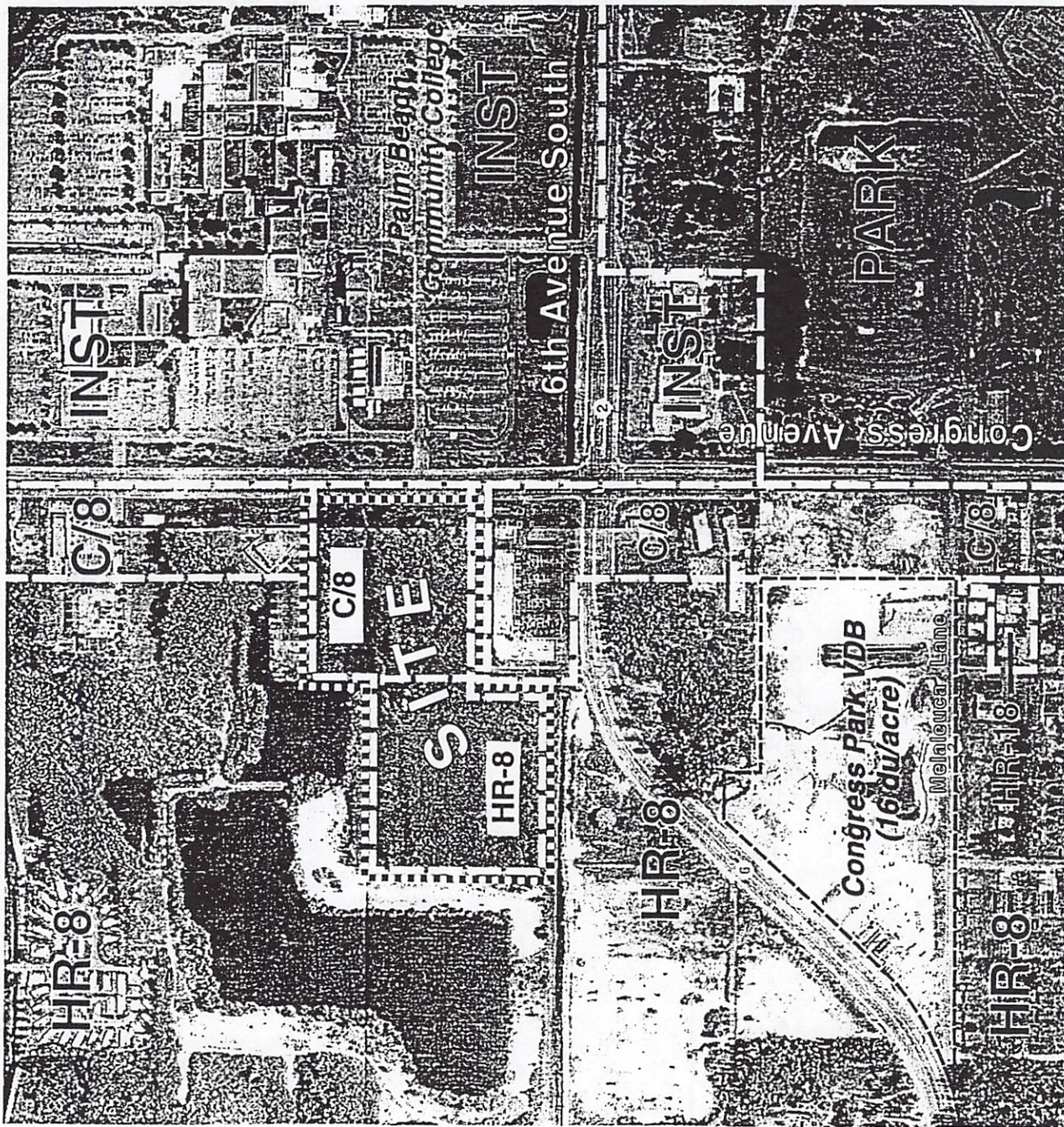
Designations

HR-8 - High Residential
8 Units per acre
HR-16 - High Residential
16 Units per acre
HR-18 - High Residential
18 Units per acre
C/8 - Commercial (underlying
Res, 8 Units per acre
INST - Institutional
PARK - Park



0 300 600 900

Approximate Scale in Feet



STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on 9/26/94
DATED at West Palm Beach, FL on 10/14/94
DOROTHY H. WILKEN, Clerk
By: Phyllis A. House D.C.

Scale

FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM CODRS CODING FORM

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (904)-488-8427 or Suncom 278-8427.

COUNTY: (Palm Beach)	COUNTY ORDINANCE # (87-1)
	(e.g., 82-001)
PRIMARY KEYFIELD	
DESCRIPTOR: (Comprehensive Planning)	
SECONDARY KEYFIELD	
DESCRIPTOR: (Land Use Planning)	
OTHER KEYFIELD	
DESCRIPTOR: ()	
ORDINANCE DESCRIPTION: (PLAN Text Amendment)	
(25 characters maximum including spaces)	
ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)	
AMENDMENT # 1: (); AMENDMENT # 2: ()	
ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)	
REPEAL # 1: (); REPEAL # 3: ();	
REPEAL # 2: (); REPEAL # 4: ();	
(Others repealed: list all that apply):	

(FOR OFFICE USE ONLY):	COUNTY CODE NUMBER: ()
KEYFIELD 1 CODE: ()	KEYFIELD 2 CODE: ()
KEYFIELD 3 CODE: ()	Rev. 8/22/88